COPY

Sequoia National Forest
900 W. Grand Avenue
Porterville, CA 93257

2720
November 4, 1975

James N. Parks
2060 Short Drive
Hanford, CA 93230

Dear Jim:

Apparently our office has some special knack for misplacing materials from you. First we misplaced the Fort Roosevelt map. Now we have just found a letter you wrote early this year in regard to the Barboni special use permit. We apologize for our delay in contacting you.

You might be interested to know that L. C. Barboni appealed the decision to terminate his special use permit for a recreation residence in Mineral King. Recently, Regional Forester Leisz reaffirmed the decision to terminate the special use permit. However, he postponed the termination date to December, 1976 as he felt the area would not be needed for the parking lot until then because of changing conditions since the original decision to terminate.

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Perhaps some background information will be helpful.

In the early 1900's, a frame cabin was built on what is now Residence Lot #5, East Mineral King Tract of the Sequoia National Forest. This cabin was under permit to Jeanette Howard. In 1933, Miss Howard conveyed this cabin to her nephews, F. C. and L. C. Barboni. After her death in 1956, a new permit was issued to the Barboni brothers. Dated February 27, 1957, the permit to F. C. and L. C. Barboni included a clause (Clause 38) that stated, "Since the area occupied by this cabin will in all probability be needed for general public use, such as camping, in the not too distant future, this permit:

1. Can be revoked as of January 1, 1975.
2. If cabin is over 50% destroyed, cabin will not be rebuilt.
3. This permit will in no case be transferred from either or both of the present permittees".

In September 1965, all permittees in Mineral King Valley were informed of the proposed development of Mineral King and the impact it might have on their permits.

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After the death of F. C. Barboni, the permit was amended in October 1965 to indicate only L. C. Barboni as the permittee. Letters to L. C. Barboni in January 1967, June 1968, and July 1972 emphasized the probability of permit termination for higher public use of public lands.

In 1970, parking was restricted to designated parking areas and camping to posted campgrounds in Mineral King Valley. These restrictions were for resource protection. Indiscriminate parking and camping was causing soil and vegetation damage along the main road and in the Upper Valley.

In 1974, Walt Disney Productions indicated to this Forest they were receiving complaints about uncontrolled use on their private land at the end of the paved Mineral King Road. Because of the adverse impacts of this unauthorized use, Walt Disney Productions indicated they would restrict the parking on their land. The restriction will reduce public use of the area by 30-40 vehicles. In order to maintain the current level of use, the Forest Service must develop parking areas for 30-40 cars.

The Barboni cabin site is adjacent to an existing parking lot. The Barboni cabin site and adjacent land to the west can be developed for parking at a minimal cost and with very little environmental disturbance. It is anticipated that parking for 30-40 cars can be provided at this site. The site is a logical choice for these reasons. No other site is as suitable. The permit recognizes the probable need for the site for general public use and the permittee has been notified of this several times since 1957.

The decision to terminate the permit was based on the need for parking areas to maintain the current level of use, not for additional parking. Since the site is adjacent to an existing parking lot and the parking area can be developed at a minimum of cost, the site is a logical choice.

For several years the Forest Service has been subject to a "shortage" of recreation dollars to build new campgrounds and even to bring existing ones up to a better standard. To stretch our recreation dollars we have asked the public to help us by "packing out what they pack in", to help reduce vandalism, etc. By stretching these dollars we would be able to keep the campgrounds open later in fall and open them earlier in spring.

When facilities, such as a parking lot are needed, we look for the least expensive and appropriate development site available. We believe we can provide replacement parking in Mineral King at and around the

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Barboni Cabin at a minimal cost to the taxpayer, even using just hand labor rather than mechanical equipment. There are no other suitable sites on public lands in Mineral King which could be as easily developed for parking.

Enclosed are several pictures of the Barboni site and the adjacent land to the west. They indicate the type of terrain and vegetation that would be affected by constructing the parking area.

Although many people use the cabin, this use is a private and restricted use of National Forest. Free access to the site is not assured to all National Forest visitors. Income generated from private use of National Forest land versus income generated by public use of the land is not the guiding factor in determining whether or not the land should be used for private purposes or not. What must be considered is "Is the land needed to provide for public use?". In the case of the permit, we have concluded that the answer to that question is "Yes, the land is needed for public use." We consider this to be a higher need than for private use. Incidentally, the special use fee for the site is less than $60 per year.

Finally, we can categorically state that although Mrs. Barboni has been an opponent of Mineral King development this fact has absolutely no bearing on the decision to terminate the L. C. Barboni special use permit.

We hope this information will give you a better understanding of our decision to terminate the permit.

By the way, Jim, we are in the process of preparing the Final Environmental Statement for Mineral King. It will bring forward a revised proposal that features road access and reduced facilities in the Silver City area. The changes are a result of the comments we received on the Draft Environmental Statement. You will be receiving a copy of the Final Statement when it is released early in 1976.

Again, we are extremely sorry we misplaced your letter and did not answer it promptly.

Sincerely,

J. MICHAEL MORTENSSON
Public Information Officer

Enclosures

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